



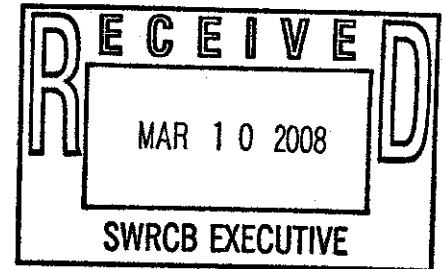
South Tahoe Public Utility District

3/18/08 Bd. Mtg. Item 13
Recycle Water Policy
Deadline: 3/10/08 by 12 p.m.

March 10, 2008

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Jeanine Townsend
Clerk to the Board
Executive Office
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100



RE: Comment Letter of the South Tahoe Public Utility District – proposed Recycled Water Policy

Dear Chair Doduc and Members of the Board:

The South Tahoe Public Utility District ("District") submits the following comments regarding the State Water Resources Control Board's ("State Board") proposed Recycled Water Policy ("Policy"), to be considered at the Board's March 18, 2008 regular meeting.

The District is a California public agency formed in 1950 pursuant to the Public Utility District Act. The District provides water and wastewater services within the City of South Lake Tahoe and unincorporated areas within the County of El Dorado, in the Lake Tahoe Basin. The District serves over 14,000 residential and commercial water customers and over 17,000 wastewater customers.

Under the Porter-Cologne Water Quality Act, the District must export its treated wastewater effluent ("Recycled Water") from the Lake Tahoe Basin. (Wat. Code, § 13951.) For this reason, the District pumps one hundred percent of its wastewater effluent 26 miles from its treatment plant over Luther Pass to its Alpine County facilities, where the Recycled Water can be safely stored and later distributed to ranchers for agricultural irrigation. For this reason, the District is uniquely situated, in that since the late 1960s, all of its wastewater effluent has been recycled, and it is mandated by California law to continue this reuse. Its treated wastewater effluent cannot otherwise be discharged, leaving the District entirely beholden to the policies of the State Board and the Lahontan Regional Water Quality Control Board in regard to the treatment and discharge of its treated wastewater effluent.

The District requests that the State Board **not** adopt the draft Recycled Water Policy.

As described in the Draft Staff Report, the use of Recycled Water is a major component of the state's plan to address its limited water supply, and estimates indicate that Recycled Water use

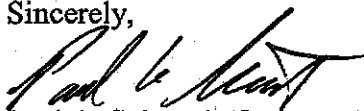
could increase from 500,000 acre-feet per year in 2003 to two million acre-feet per year in 2030. In this regard, the Draft Staff Report states "The state needs to encourage the development of recycled water projects in order to address the water demands of its population and industries." Unfortunately, rather than removing barriers to use of Recycled Water, the Policy creates additional barriers to such use. While we believe the State Water Board shares the District's goal of increasing the use of this sustainable water supply, we regrettably find ourselves faced with a draft Policy that does not advance our mutual goals. For this reason, we urge the Board not to adopt the proposed Policy.

The District appreciates some of the revisions to the prior draft, a number of the policy provisions do not advance the goal of increasing the use of recycled water in California. The District specifically wishes to address the following issues:

- **Scientifically Unsupported Requirements.** The Policy contains limitations for the use of Recycled Water that are not scientifically supported. For example, the Policy establishes a 3 mg/L nitrogen threshold in recycled water for implementation of nutrient management practices. There is no technical information to explain how this standard was arrived at or why it is appropriate to apply this value to recycled water projects and not other irrigation waters. Similarly, the Policy allows Regional Water Boards to establish recycled water limits, based on narrative toxicity objectives, which are more stringent than drinking water standards, without a basis in science. The District believes the users of Recycled Water, as well as the greater population of California, would be better served by regulations of Recycled Water use that are scientifically supported.
- **The Staff Report states under a master reclamation permit, the producer or distributor is responsible for regulating the users.** Districts should not be put in the position of becoming a regulatory agency over private land owners. Currently the water users have their own discharge permits. This process has worked well and makes the private land owner more responsible for his irrigation and farming practices.
- On page ten it states "Staff recommends Alternative (a)", however there are two alternative (a)'s. The District assumes that staff is recommending development of a nutrient management plan or allowing plants to treat total nitrogen to 3 mg/l. This statement needs to be clarified.

Unfortunately, these issues must be satisfactorily addressed in order for the District to support the adoption of a Recycled Water Policy at this time. Thank you for your consideration of our concerns. Should you have any questions, please contact me at (530) 543-6202.

Sincerely,



Paul A. Sciuto, P.E.
Assistant General Manager/Engineer